

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS—EASTERN DIVISION**

JOHN CONLISK,)	
Plaintiff,)	No.
)	
vs.)	
)	
WALMART, INC.,)	
Defendant.)	

COMPLAINT AT LAW

NOW COMES the Plaintiff, JOHN CONLISK, by his attorney, LAW OFFICE OF THOMAS

A. KANTAS, P.C., and complaining of the Defendant, WALMART, INC. and alleges as follows:

JURISDICTIONAL STATEMENT

1. The Plaintiff, JOHN CONLISK, is a citizen of the State of Illinois.
2. The Defendant, WALMART, INC., (“WALMART”) is a corporation incorporated under the laws of the State of Arkansas and is a citizen of the State of Arkansas.
3. The Defendant, WALMART, INC., is registered to do business in the Northern District of Illinois.
4. That Defendant, WALMART, INC., does business in the Northern District of Illinois.
5. That Defendant, WALMART STORES, INC. is subject to personal jurisdiction in this judicial district pursuant to 28 U.S.C. § 1391(b)(1) and 28 U.S.C. § 1391(c).
6. The matter in controversy exceeds, exclusive of interest and costs, the sum of \$75,000.00.
7. Jurisdiction is proper pursuant to 28 U.S.C. § 1332(a)(1) because the parties are citizens of different states.

Negligence - Walmart

8. That on August 30, 2019, the Defendant, WALMART, possessed, operated, managed, maintained and controlled, directly and indirectly through its duly authorized agents and employees, a general merchandise retail store located at 1088 West Broadway Street, Monticello, Indiana.

9. That on August 30, 2019, the Defendant, WALMART, had a duty to exercise reasonable and ordinary care in the possession, operation, management, and maintenance, directly and indirectly through its duly authorized agents and employees, a general merchandise retail store located at 1088 West Broadway Street, Monticello, Indiana.

10. That on August 30, 2019, the Plaintiff, JOHN CONLISK, was lawfully on the premises of the Defendant, WALMART, a general merchandise retail store located at 1088 West Broadway Street, Monticello, Indiana.

11. That on August 30, 2019, the Plaintiff, JOHN CONLISK, sustained lacerations to his left index finger handling a bottle of merchandise while on the premises of the store located at 1088 West Broadway Street, Monticello, Indiana.

12. That on August 30, 2019, the Defendant WALMART was then and there guilty of one or more of the following negligent acts and omissions:

- (a) Allowed and permitted its merchandise to be sold in a defective condition;
- (b) Failed to properly and adequately fasten the security device to the bottle being handled by the Plaintiff;
- (c) Failed to conduct a reasonable inspection of the bottle being handled by the Plaintiff;
- (d) Failed to warn the Plaintiff of an improperly fastened security device attached to the bottle being handled by the Plaintiff.

13. That the aforesaid careless and negligent acts and/or omissions of the Defendant was a proximate cause of said occurrence and Plaintiff's personal injuries as hereinafter mentioned.

14. That as a direct and proximate result of one or more of the aforesaid negligent acts and/or omissions of the Defendant, the Plaintiff sustained severe and permanent injuries resulting in past and future pain and suffering, disability, loss of a normal life, disfigurement, lost ability to earn income, and past and future medical expenses.

WHEREFORE, the Plaintiff, JOHN CONLISK, demands judgment against the Defendant, WALMART, in a dollar amount in excess of \$75,000.00.

PLAINTIFF DEMANDS TRIAL BY JURY

Illinois ARDC No. 6272492
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Respectfully submitted,

s/Thomas Kantas

Thomas Kantas
Attorney for Plaintiff
Dated: August 27, 2021